

AN ORDINANCE

**99083**

**AUTHORIZING THE EXECUTION OF A REVISED LAW ENFORCEMENT PERSONNEL REIMBURSEMENT AGREEMENT WITH THE TRANSPORTATION SECURITY ADMINISTRATION FOR THE USE OF AIRPORT POLICE PERSONNEL AT SAN ANTONIO INTERNATIONAL AIRPORT CHECKPOINTS IN AN AMOUNT NOT TO EXCEED \$374,593.00, APPROPRIATING FUNDS, AND ESTABLISHING A BUDGET TO COVER THE COSTS ASSOCIATED WITH POSTING AN AIRPORT POLICE OFFICER AT EACH SAN ANTONIO INTERNATIONAL AIRPORT CHECKPOINT.**

\* \* \* \* \*

**WHEREAS**, the Aviation and Transportation Security Act (the "Act") requires that law enforcement officers be posted at all screening checkpoints at the San Antonio International Airport (SAIA); and

**WHEREAS**, on June 30, 2003, the TSA approved the reinstatement of the Airport Checkpoint Security Program at SAIA and a new reimbursement agreement for Fiscal Year 2004; and

**WHEREAS**, the City Council passed and approved Ordinance No. 98204 of September 25, 2003, to authorize the execution of the new Law Enforcement Personnel Reimbursement Agreement with TSA; and

**WHEREAS**, subsequent to City Council's approval of the Agreement, TSA made unilateral and substantial changes to the Agreement; and

**WHEREAS**, the City and the Transportation Security Administration ("TSA") desire to negotiate and execute a revised Law Enforcement Personnel Reimbursement Agreement (the "Agreement") pursuant to a mutually negotiated Checkpoint Security Program for the SAIA and in accordance with the Act; and

**WHEREAS**, the revised Agreement increases the funding for Fiscal Year 2004, and provides for reimbursement/payment of Law Enforcement Officers (LEOs) at a fixed hourly rate instead of salary computations; and

**WHEREAS**, the TSA no longer wishes to exercise federal supervision and control over LEOs at checkpoints and therefore the federal Request for Representation and Substitution and Worker's Compensation provisions of the Subject Agreement have been deleted; and

**WHEREAS**, the LEOs will remain under the supervision and control of the Airport Police, all other changes in the revised Agreement are beneficial to the City, and the revised Agreement is recommended for City Council approval; and

**WHEREAS**, it is necessary to approve the terms and authorize the execution of the revised Agreement with the TSA to station Airport Police personnel at terminal security checkpoints, appropriate funds and establish a budget; **NOW THEREFORE**:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

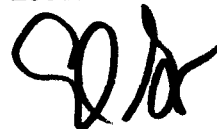
**SECTION 1.** The City Manager or her designee, including the Aviation Director, are authorized for 60 days following the effective date of this Ordinance to execute the revised Law Enforcement Personnel Reimbursement Agreement with the Transportation Security Administration, which Agreement provides for reimbursement to the Aviation Department by the TSA of all costs related to the City's posting of Airport Police Personnel at Terminal Security Checkpoints.

**SECTION 2.** Fund No. 26-059198, entitled "Checkpoint Security Program," is hereby designated for use in accounting for the above Agreement, and the sum not to exceed \$374,593.00 is hereby appropriated in said Fund as set out in the detailed budget affixed hereto and incorporated herein for all purposes as Attachment I.


**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to the concurrence by the City Manager or the City Manager's designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purpose of the Ordinance.

**SECTION 4.** The Ordinance shall be effective on the tenth day after passage hereof.

**PASSED AND APPROVED** this 15<sup>th</sup> day of April, 2004.

  
**M A Y O R**  
EDWARD D. GARZA

**ATTEST:**   
City Clerk

**APPROVED AS TO FORM:**   
for City Attorney